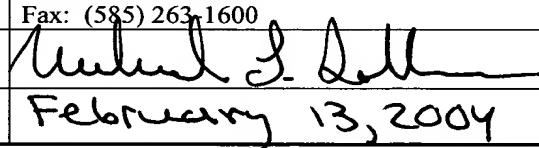
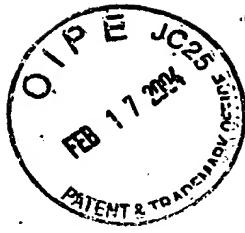


TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/943,215
		Filing Date	August 30, 2001
		First Named Inventor	Sheng-Zhi Pang
		Group Art Unit	1638
		Examiner Name	A.R. Kubelik
Total Number of Pages in This Submission	12	Attorney Docket Number	19603/1559 (CRF D-2052C)

ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Issue Fee Part B - Fees Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> A copy of the Notice to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input checked="" type="checkbox"/> After Allowance Communication to Group (Amendment under 37 CFR § 1.312 (2 pages)) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences		
	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input checked="" type="checkbox"/> Copy of First Supplemental Information and PTO-1449 (in duplicate) filed on January 13, 2003 <input checked="" type="checkbox"/> Copy of Second Supplemental Information Disclosure Statement and PTO-1449 (in duplicate) filed on June 9, 2003 <input checked="" type="checkbox"/> Notification Regarding Loss of Entitlement to Small Entity Status and Payment of Deficiency Pursuant to 37 CFR §§ 1.27(g)(2) and 1.28(c) <input checked="" type="checkbox"/> Fee Attached		
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Michael L. Goldman, Esq. Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1304 Fax: (585) 263-1600	
Signature	 Registration No. 30,727	
Date	February 13, 2004	

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]		
I hereby certify that this correspondence is being:		
<input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450		
<input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____.		
February 13, 2004	 Signature Janice Bowers Typed or printed name	
Date		



PATENT
Docket No.: 19603/1559 (CRF D-2052C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	:	Pang et al.)	Examiner: A.R. Kubelik
Serial No.	:	09/943,215)	Art Unit: 1638
Cnfrm. No.	:	9965)	
Filed	:	August 30, 2001)	
For	:	DNA CONSTRUCTS AND METHOD TO IMPART RESISTANCE TO PAPAYA RINGSPOT VIRUS ON PLANTS)	

**NOTIFICATION REGARDING LOSS OF ENTITLEMENT
TO SMALL ENTITY STATUS AND PAYMENT OF DEFICIENCY PURSUANT TO
37 CFR §§ 1.27(g)(2) and 1.28(c)**

Mail Stop Issue Fee 02/19/2004 AWONDAF1 00000006 09943215
Commissioner for Patents 01 FC:1001 770.00 OP
P.O. Box 1450 02 FC:1202 162.00 OP
Alexandria, VA 22313-1450 03 FC:1252 420.00 OP
 04 FC:1814 110.00 OP

Dear Sir:

Pursuant to 37 CFR § 1.27(g)(2), applicants hereby notify the U.S. Patent and Trademark Office that the above-identified application is no longer entitled to small entity status.

At the time of filing the above application, small entity status was erroneously asserted. Therefore, applicants hereby request a change in status from small entity to large entity.

Pursuant to 37 CFR § 1.28(c), enclosed with this notification is payment for fees owed (i.e., \$766.00) for past deficient payments resulting from this change in entity status.

In particular, on August 30, 2001, applicants filed a Continuation Application with the USPTO. Based on the small entity fee schedule, payment of \$355 for the basic filing fee for the continuation application, and \$81 for excess claims (i.e., 9 claims in excess of 20) accompanied these papers.

Further, on June 9, 2003, applicants filed an Amendment with a Two-Month Extension of Time, a Terminal Disclaimer, a Second Supplemental Information Disclosure Statement, and a PTO-1449. Based on the small entity fee schedule, payment of \$205.00 for

the Two-Month Extension of Time, \$55.00 for the Terminal Disclaimer, and \$180.00 for the Second Supplemental Information Disclosure Statement accompanied these papers.

Although applicants paid the above-described small entity fees in good faith, large entity fees should have been paid. Accordingly, pursuant to 37 CFR § 1.28(c), a check for \$766.00 is enclosed, representing the deficiency payment due as shown in the itemization below.

Date	Type of Fee	Amount Paid (Small Entity)	Current Fee (Large Entity)	Amount Owed
08/30/2001	Basic Filing Fee for Continuation Application	\$355.00	\$770.00	\$415.00
08/30/2001	Payment for 9 additional claims in excess of 20	\$81.00	\$162.00	\$81.00
06/09/2003	Two-Month Extension of Time	205.00	\$420.00	\$215.00
06/09/2003	Terminal Disclaimer	55.00	110.00	55.00
Current Deficiency Owed				\$766.00

The Commissioner is authorized to charge any other necessary fees or credit any overpayment to Deposit Account No. 14-1138.

Respectfully submitted,

Date: February 13, 2004



Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1304
Facsimile: (585) 263-1600

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.	
2/13/04 Date	Janice Bowers Janice Bowers